



PART 1:EXHIBIT 1 + Add Audio evidence

Alex Kapolchok

to:

ellen_mulqueen@nyed.uscourts.gov

10/30/2015 12:24 PM

Cc:

"Orenstein, Karin (USANYE)"

Hide Details

From: Alex Kapolchok <Alex@kapolchoklawservices.com>

To: "ellen_mulqueen@nyed.uscourts.gov" <ellen_mulqueen@nyed.uscourts.gov>,

Cc: "Orenstein, Karin (USANYE)" <Karin.Orenstein@usdoj.gov>

Security:

To ensure privacy, images from remote sites were prevented from downloading. Show

Images

History: This message has been forwarded.

CV 14-2693 (RJD)

9 Attachments

Factual Memorandum.jpg Data Collected part 1.jpg Data Collected Part 2.jpg Exhibit 1.jpg Ex.1 Evidence A.jpg Ex.1 Evidence b.jpg

Ex.1 Evidence c.jpg Ex.1 Evidence D.jpg Exhibit 1 part 2.jpg

Greetings,

As to be expected, My filing for the November 18 hearing in order from Part 1 to for including audio evidence.

If you have difficulties playing the evidence, I will play them during the tele-conference hearing.

Please call me at the appointed time on 347-771-8147

KAPOLCHOK LEGAL SERVICES

Alexander Kaplochok

B.A Criminal Justice/Psychology

Case Manager & Legal Analyst

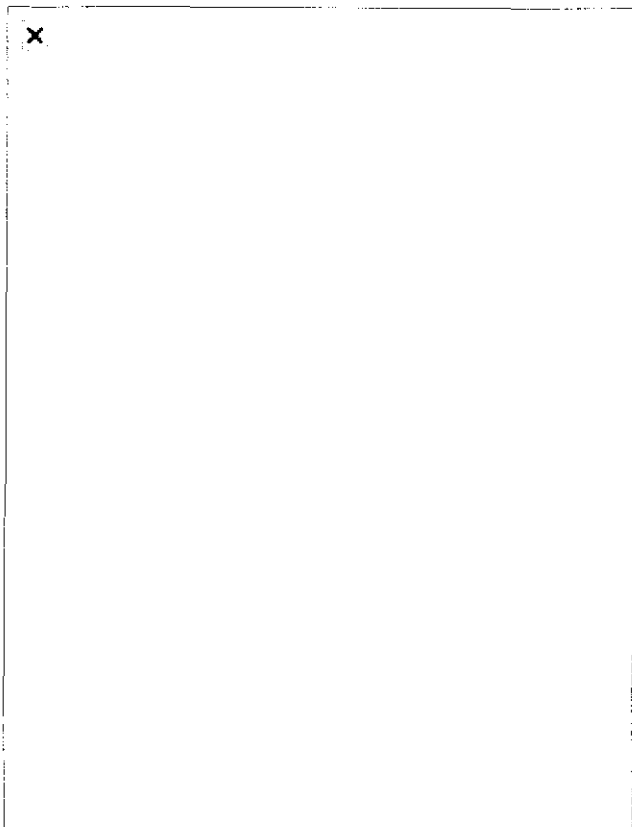
Phone: 850-745-GOD5(4635)

JOHN 8:32 And You shall know the truth and the truth
shall set you free

From: Pastor D

THE MINISTRY OF JUSTICE

- Legal Strategy;
- Case Management;
- Investigative Journalism;
- Ministerial Services;
- Treasury.



Pastor D, Public Relations, International Press & Media
(Spokesperson)

Political, Legal & International News Anchor

Phone: 347-771-8147

https://twitter.com/pastor_d_paris

LUKE 8:17 For nothing is hidden that will not become evident, nor anything secret that will not be known and come to light.

--FACTUAL MEMORANDUM--

Dear Honorable and Respected Judge Raymond J. Dearie, please accept this factual memorandum outlining the details of the criminal case and the civil case which correlation will be enlighten by the details incorporated in this document.

Disclaimer:Data collected in order to allow Honorable and Respected Judge Raymond J. Dearie to asses the full aspect , depth and scope of above cited case.

-OUTLINE OF CRUCIAL EVENTS ON A TIMELINE-

Reference: Criminal Docket Sheet (1:14-MJ-00403-RML-1)

On November 25 2014, after providing valid information to the court, The court provided to Ms.Yembe an Order for MDC to refrain from strip search due to sexual abuse trauma and Emotional trauma from previous history.

Furthermore, as per MDC Internal Policy, pre-indictment defendant or not subject to strip search however, it was never observed by Ms.Yembe which suffered aggravated trauma up until today's date.

Docket Entry 79 filed on May 19 2015 by Doris Yembe

Final supplements were filed under seal in addition to Habeas Corpus 2241 filed in February 2015 for dismissal of Criminal complaint.

Docket entry of June 2 2015

Ms. Yembe appointed as co-counsel after requesting relevant data to file an ineffective counsel complaint for CJA counsel appointed on November 25 2014 Deborah Austern Colson

On that hearing, see transcript, it was agreed before the court that AUSA Nasson arrange for proper protection and procedures to ensure Ms.Yembe was protected from illegal deportation see Habeas Corpus filed under seal by Ms.Yembe regarding Illegal Deportation case with Custom Border Officer Troy Rabideau on August 13 2012.

AUSA Nasson was required to provide documentation and procedures facilitating voluntary departure, removing immigration hold and detainer and allowing Ms.Yembe to not be a victim of illegal deportation for the second time upon disposition of said criminal pending case.

During said negotiations AUSA Nasson was attempting to convince Ms.Yembe to sign a Non-Prosecution Agreement(NPA) since May 2015, and mentioned on record that the charges would be dropped immediately upon signature of the NPA which Ms.Yembe objected due to the clause requiring her to forfeit her asset in exchange for said dismissal.

On June 3 2015, a fraudulent document was provided to Ms.Yembe by the interim of Deborah Austern Colson on behalf of AUSA Nasson pertaining to immigration requesting for her to resign to her privacy rights.

On June 4 2015, Ms. Yembe sent a fax under seal to the Court with proper Immigration Documentation proving said document was fraudulent.

On June 9 Ms. Yembe was late in court due to sexual assault and harassment of a US Marshall which advised ion camera that no Judge had authority to address her issues and complain, and he refused to provide his name.

That same day, at the hearing, Ms. Yembe confronted the Governments as well as Co-Counsel Deborah on the fraudulent document provided the proper document along with a copy of the NPA and all fraudulent documents collect throughout the case submitted by the US Government to Ms.Yembe , which all were filed under seal.

AUSA Nasson attempted to cover his lie twice during the hearing on records and the court advised Ms.Yembe that they would from this point on be in charge of the Immigration matter to avoid this incident to repeat itself.

After the hearing she received an E-mail from Deborah Colson paralegal, advising that the case was being dismissed without the NPA.

Ms.Yembe refused to go to court, and the hearing was cancelled to to her refusal to jeopardize her mental health and add additional sexual abuse trauma caused by the US Marshall and Correctional Officer of the Detention Center MDC brooklyn.

The Court rescheduled a Conference Call with MDC to address the dismissal of the criminal charges, Due to many fraudulent prosecutorial discretionary proceedings intercepted by Ms.Yembe, AUSA Nasson was obliged to make an OATH before the court to protect Ms.Yembe on record see hearing of June 29 2015 transcripts.

The case was then dismissed without prejudice.

-EXHIBIT 1-

**AUDIO EVIDENCE OF MALICIOUS PROSECUTION
AND ILLEGAL FORFEITURE**



U.S. Department of Justice

United States Attorney
Eastern District of New York

271 Cadman Plaza East
Brooklyn, New York 11201

JDL
F. #2014R00725

November 23, 2014

By Regular Mail

Courtney K. Davy, Esq.
299 Broadway
Suite 704
New York, NY 10007

Re: United States v. Doris Henriette Yembe
Magistrate Docket No. 14-403

Dear Mr. Davy:

Attached please find correspondence from your client Doris Henriette Yembe which was addressed to you but sent to the undersigned Assistant United States Attorney. I have not read the correspondence beyond noting that it was addressed to you, am returning the original to you, and am not retaining a copy.

Very truly yours,

LORETTA E. LYNCH
United States Attorney

By: /s/ Justin D. Lerer
Justin D. Lerer
Assistant U.S. Attorney
(718) 254-6124

cc (by e-mail w/o attachments): AUSA Karin Orenstein
Leslie Jones Thomas, Esq.



U.S. Department of Justice

United States Attorney
Eastern District of New York

271 Cadman Plaza East
Brooklyn, New York 11201

JDL
F. #2014R00725

November 23, 2014

By Regular Mail

Courtney K. Davy, Esq.
299 Broadway
Suite 704
New York, NY 10007

Re: United States v. Doris Henriette Yembe
Magistrate Docket No. 14-403

Dear Mr. Davy:

Attached please find another piece of correspondence from your client Doris Henriette Yembe, which was addressed to you but sent to the undersigned Assistant United States Attorney. I have not read the correspondence beyond noting that it was addressed to you, am returning the original to you, and am not retaining a copy.

Very truly yours,

LORETTA E. LYNCH
United States Attorney

By: /s/ Justin D. Lerer
Justin D. Lerer
Assistant U.S. Attorney
(718) 254-6124

cc (by e-mail w/o attachments): AUSA Karin Orenstein
Leslie Jones Thomas, Esq.

AUSA - 11/23/14

Handwritten notes at the bottom of the page, including "AUSA - 11/23/14" and "Leslie Jones Thomas, Esq.".

Yembe Report
February 6, 2015
Stuart B. Kleinman, M.D.

Yembe Report
February 6, 2015
Stuart B. Kleinman, M.D.

APPENDIX TO SOURCES OF DATA:

1. Complaint of October 28, 2014.
2. Transcript of Criminal Cause for Status Conference before the Honorable Robert M. Levy, United States Magistrate Judge, of December 22, 2014.
3. Amended Verified Complaint in REM, Civil Action No. 14-2693, of June 4, 2014.
4. Forensic-Psychiatric Evaluation Report by Alexander Sasha Bardey, M.D., of December 18, 2014.
5. Bureau of Prisons Health Services Records, including:
 - a. Clinical Encounter- Administrative Notes of:
 - i. December 15, 2014 (3);
 - ii. December 12, 2014;
 - iii. December 5, 2014;
 - iv. June 16, 2014;
 - v. May 12, 2014;
 - vi. June 2, 2014.
 - b. Clinical Intervention- Clinical Content Note of June 11, 2014.
 - c. Clinical Intervention- Clinical Content Note of December 5, 2014.
 - d. Dental Health History Screens of:
 - i. May 13, 2014;
 - ii. June 2, 2014.
 - e. Medication Summary Historical for December 30, 2013, to January 20, 2015.
 - f. List of Health Problems- Undated.
 - g. History and Physical Note of May 13, 2014.
 - h. Health Screens of:
9. Transcript of Initial Appearance before the Honorable William Matthewman, United States Magistrate Judge, of April 30, 2014.
10. Letter by Doris Henriette Yembe to Ruby Krajick, Court Clerk, of December 17, 2014.
11. Petition for [word illegible] of Habeas H. Corpus of December 17, 2014, by Doris Henriette Yembe.
12. Order by the Honorable Robert N. Levy, of November 25, 2014.
13. Letter by Niren and Associates of February 25, 2013.
14. Form I-22, Application for Permission to Re-Apply for Admission in to the United States After Deportation or Removal, of February 13, 2013.
15. G-325A, by Graphic Information.
16. Letter by Ms. Yembe of October 12, 2012, "Subject: US Border Misunderstoodment [sic] on August 13, 2012".
17. Form I-867A, Pages 226.
18. Record of Sworn Statement and Proceedings under Section 235 (b) (1) Act, of August 13, 2012.
19. Juret for Record of Sworn Statement and Proceedings under Section 235 (b) (1) Act, of August 13, 2012.
20. Note and Order of Expedited Removal, of August 13, 2012.
21. Report of Investigation of May 17, 2014.
22. Letter by Doris Henriette Yembe to Korrin Orenstein, of October 22, 2014.
23. Letters by Doris Henriette Yembe to AUSA Justin David Lerer, of:
 - a. October 24, 2014;
 - b. October 28, 2014;
 - c. November 16, 2014.
24. Letter by Doris Henriette Yembe to Ms. Leslie Jones, of November 6, 2014.

AUSA Lerer, lied
committed perjury under oath !!!

TRULINCS 05176104 - YEMBE, DORIS - Unit: BRO-E-A

FROM: 05176104

TO:

SUBJECT: Prosecutorial Misconduct & Ethical Violation

DATE: 03/03/2015 11:48:14 AM

Delivered Via : Legal Mail

Loretta E. Lynch
U.S Department of Justice
United States Attorneys Office
Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York, 11201

Prosecutorial Misconduct, Ethical Violation, per rule 3.8, ABA Model
Conscience avoidance, Prejudicial Delay, Perjury under OATH

Dear Loretta E. Lynch, I hope this letter finds you well and in good spirit. I am an aspiring Pastor and Evangelist, currently defendant on case pending before Judge Robert M. Levy, 14-MJ-403 (RML)

I am communicating with you to address a serious and critical concern. I have private investigators , legal advisors among many whom have provided me with valid leads and information which I am presenting in part to corroborate and validate my statements today.

As a Pre-Trial and Pre-Indictment defendant since April 29 2014, I am informing you that my 4th Amendment right pertaining to search and seizure, valid constitutional right, has been critically breached as well as Rule 41. Serious Violations from the Government of United States represented by Karin Orenstein and Justin David Lerer have been committed.

1. (A) A Warrant for my arrest was issued on April 29 2014, however, no warrant pertaining to search and seizure, was ever made, requested nor pending before the court or any court in correlation with case 14-MJ-403. WE ARE NOW , A Complete Federal Year with the following issue. An illegal forfeiture was filed by Karin Orenstein whom holds no ground to forfeit property fault of inability to establish proper Mens Rea, provide valid supporting evidence to validate the forfeiture of 7 items considered property per Rule 41.

(B) I am a non indicted, non-convicted defendant and am legally subject to an immediate withdrawal of this illegal Forfeiture action. Furthermore, Mdr.Oreinstein, had submitted via the interim of Homeland Security Border of Protection, Maryanne Appell CAFRA Waiver forms which were signed and notarized by me granting a 180 waiver period in which no forfeiture action could be filed. On a Proffer meeting which took place on August 14 2014 in front of Witness Brian Colica (Special Investigation) , Justin David Lerer (AUSA), Courtney K. Davy (Attorney), Leslie Jones Thomas (Attorney), and myself, Orenstein lied and denied ever receiving any communication as a reply to her submitted communication and provided an additional communication dated of August 14 2014. Illegally started the Forfeiture during the waiver period.

On October 21 2014, AUSA Lerer stated on records that no reply was ever produced by the defense and was requested in person(referring to August 14 2014 meeting) however, I have 2 documents, stamped by Homeland Security once documents were indeed received. Which support that AUSA Lerer lied on records and AUSA Karin illegally started forfeiture action during waiver period, with no warrant to authorize seizure, and created fraudulent paper trail to support conscience avoidance, prejudicial delay, ethical violation and prosecutorial misconduct actions from the US Government,.

Violation #1: Unauthorized Search and Seizure

Violation #2: Illegal Forfeiture, Pre-indictment, no supporting evidence

Violation # 3:Waiver Period ignored, lie under perjury and under oath on official court records

Violation #4: Legal documents submitted by Orenstein to Ms.Yembe via REGULAR MAIL, instead of Certified Legal mail, breach of Constitutional right to Privacy in Legal Matters

I oppose Forfeiture action, Interlocutory sale, request immediate withdrawal of pending ILLEGAL FORFEITURE ACTION request these violations addressed.

IN CLERKS OFFICE
US DISTRICT COURT E.D.N.Y.

★ MAR - 8 2015 ★

BROOKLYN OFFICE

The original has also

been sent to the

US Attorney, but

needs to be filed

on my docket sheet

please, for my records.

attachments will be

use as supplem

Exhibit # 4

TRULINCS 05176104 - YEMBE, DORIS - Unit: BRO-E-A

I have escalated my complaint and am currently collecting data to support further Judicial Procedures pertaining to above mentioned violations. Among the legal advisors of the defense, one is a former Prosecutor, 6 years in State Court, 28 years in Federal Court of which 22 years in Brooklyn court, knows Orenstein, to be the daughter of a Magistrate.

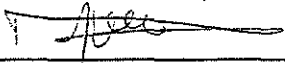
Full extent of the law will be used to exercise Justice.

Annexed:

- Perjury Lie under Oath AUSA Lerer
- Warrant of Arrest
- Rule 41 Underlined Violations
- Case Law-Criminal Forfeitures
- Received Waiver Claim-CFRA Form
- Robert Larusso Communication to Homeland Security
- Egregious and Inquisitive Interlocutory Sale Filing
- Nefarious Forfeiture Filing
- Petition to Release Property (Reyes/Dearie)
- Interlocutory Appeal

Respectfully Submitted,

Doris Henriette Yembe, Proud Follower of Jesus Christ



Proverbs 21:31 The Horse is made ready for the day of battle
but the VICTORY belongs to the LORD.

EXHIBIT 1

JUSTIN DAVID LERER INTERCEPTED LIES

Letter written via US. Department of Justice under Login ID (JDL)
by Justin David Lerer on November 23 014 sent via regular mail to Courtney DAVY
with electronic copy to Orenstein, Leslie Jones Thomas and Loretta Lynch.

Stating that a letter received by Ms.Yembe addressed to Justin D. Lerer was never read by
himself,
no copy was kept and original returned to Mr.Davy,

The letter was submitted Twice about 2 separate letters submitted to Lerer by Yembe.

Which was a lie as on February 6 2015, about 2 months later,

Lere hired a Psychiatrist, Dr. Kleinman to prepare a Forensic report on Ms.Yembe
and had annexed all the letters he claimed never had read, nevers have kept see

Appendix to sources of DATA NUMBER 23 by Dr. Kleinman who had received a copy of these
letter and used them in a forensic report submitted in the court although lies where
made by Lere in November, Ms.Yembe intercepted him in February and confronted him in
her Habeas Corpus in February after which, he resigned from the case and transferred it
to Christopher Nasson in March.

Ms. Yembe advised by letter Ms.Loretta Lynch, of all above violations.